
**Ordinance 114 - An Ordinance
of the Board of Directors of
Rincon del Diablo Municipal
Water District Establishing a
Water Recycling Plan**

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ORDINANCE NO. 114

**AN ORDINANCE OF THE BOARD OF DIRECTORS OF
RINCON DEL DIABLO MUNICIPAL WATER DISTRICT
ESTABLISHING A WATER RECYCLING PLAN**

SECTION 1.0 FINDINGS

WHEREAS, The people of the State of California have a primary interest in the development of facilities to recycle water containing waste to supplement existing surface and underground water supplies and to assist in meeting the future water requirements of the State (California Water Code, Section 13510); and

WHEREAS, Conservation of all available water resources requires the maximum reuse of wastewater for beneficial uses of water (Water Code Section 461); and

WHEREAS, Continued use of potable water for irrigation of greenbelt areas may be an unreasonable use of such water where recycled water is available (Water Code Section 13550); and

WHEREAS, The State policies described above are in the best interest of the District; and

WHEREAS, The majority of jurisdictions in San Diego County have adopted measures to promote water recycling; and

WHEREAS, This ordinance is necessary to protect the water supply of the region which is vital to public health and safety; and

WHEREAS, San Diego County is highly dependent on limited imported water for domestic, agricultural and industrial uses; and

WHEREAS, The future reliability of the supply of imported water is uncertain; and

WHEREAS, Recycled water will be more readily available in seasons of drought when the supply of potable water for nonessential uses may be uncertain; and

WHEREAS, The City of Escondido has agreed to provide recycled water, meeting all standards of Title 22 of the California Administrative Code, to the District.

NOW THEREFORE, be it ordained by the Board of Directors of the Rincon del Diablo Municipal Water District ("District") as follows:

Error! Bookmark not defined.**SECTION 2.0 RECYCLED WATER USE POLICY**

2.1 RECYCLED WATER USE: It is the policy of the District that recycled water shall be used within the jurisdiction wherever its use is economically justified, financially and technically feasible and consistent with legal requirements, preservation of public health, safety and welfare and the environment.

2.2 POTABLE WATER RATE SURCHARGE: If it is determined by the Board of Directors that it is feasible to use recycled water, the Board shall either discontinue potable water service or add a potable water rate surcharge of at least 50 percent of the potable water rate to the potential user if the user declines the use of recycled water.

SECTION 3.0 DEFINITIONS

The following terms are defined for purposes of this ordinance:

3.1 AGRICULTURAL PURPOSES: Agricultural purposes include the growing of field and nursery crops, row crops, trees and vines and the feeding of fowl and livestock.

3.2 ARTIFICIAL LAKE: A man-made lake, pond, lagoon or other body of water that is used wholly or partly for landscape, scenic or non-contact recreational purposes.

3.3 COMMERCIAL OFFICE BUILDING: Any building for office or commercial use with water requirements which include, but are not limited to, landscape irrigation and decorative fountains.

3.4 DEVELOPMENT PROJECT: Any project undertaken for the purpose of development. Development project includes a project involving the issuance of a permit for construction or reconstruction but not a permit to operate. Development project does not include any ministerial projects proposed to be carried out or approved by public agencies.

3.5 RECYCLED WATER DISTRIBUTION SYSTEM: A piping system intended for the delivery of recycled water only and which is separate from any potable water distribution system.

3.6 GREENBELT AREAS: An area primarily devoted to non-agricultural open

space. Greenbelt areas include, but are not limited to, golf courses, cemeteries, parks and landscaping.

3.7 INDUSTRIAL PROCESS WATER: Water used by any industrial facility with process water requirements which include, but are not limited to, rinsing, washing, cooling and circulation or construction.

3.8 OFF-SITE FACILITIES: Water facilities from the source of supply to the point of connection with the on-site facilities including the water meter.

3.9 ON-SITE FACILITIES: Water facilities under the control of the owner, downstream from the water meter.

3.10 POTABLE WATER: Water which conforms to the federal, state and local standards for human consumption.

3.11 RECYCLED WATER: Recycled water means water which, as a result of treatment of wastewater, is suitable for a direct beneficial use or controlled use that would not otherwise occur. (See Water Code Section 13050 [n])

SECTION 4.0 RECYCLED WATER RETROFIT STUDYError! Bookmark not defined.

4.1 GENERAL: The sewage flows of the Escondido Valley are collected and treated at the Hale Avenue Resource Recovery Facility (HARRF). The City of Escondido has determined that the secondary wastewater treatment operations at the HARRF will be upgraded to include tertiary treatment necessary for water recycling, and has agreed to make recycled water available to the District. The District has prepared a Recycled Water Retrofit Study which addresses recycling as a water supply option within the District's service area. This information developed for the evaluation of recycling identifies potential recycled water users throughout the District and is the basis for determining the District as a recycled water service area.

4.2 MANDATORY RECYCLED WATER USE: All District water users will be evaluated as to whether existing or proposed greenbelt irrigation, agricultural irrigation, commercial office buildings, filling of artificial lakes or industrial processes shall be limited to the use of recycled water. As appropriate, the District will mandate construction of recycled water distribution systems or other facilities in new and existing developments for current or future recycled water use. This will be a condition of any development approval or continued water service if future recycled water facilities can adequately serve the development in accordance with the procedures described in Section 5.0.

- 4.3 RULES AND REGULATIONS: The District shall establish general rules and regulations governing the use and distribution of recycled water.

SECTION 5.0 PROCEDURES

5.1 EXISTING POTABLE WATER SERVICE

5.1.1 Preliminary Determination: The District shall make preliminary determinations as to which existing potable water customers shall be converted to the use of recycled water. Each water customer shall be notified of the basis for a determination that conversion to recycled water service will be required, as well as the proposed conditions and schedule for conversion.

5.1.2 Notice: The notice of the preliminary determination, including the proposed conditions and time schedule for compliance and a recycled water permit application shall be sent to the water customer by certified mail.

5.1.3 Objections/Appeals: A water customer may file a notice of objection with the District within thirty (30) days after any notice of determination to comply is delivered or mailed to the customer. Customer may request reconsideration of the determination or modification of the proposed conditions of schedule for conversion. The objection must be in writing and specify the reasons for the objection. The preliminary determination shall be final if the customer does not file a timely objection. The General Manager shall review the objection and shall confirm, modify or abandon the preliminary determination. Upon issuance of a final determination by staff, the customer may appeal the determination to the Board of Directors.

5.2 DEVELOPMENT AND WATER SERVICE APPROVALS

5.2.1 Conditions: Upon application for water service by a developer, owner or water customer (herein referred to as "applicant") or for new or altered water service, the District staff shall make a preliminary determination whether the current or proposed use of the subject property is required to be served with recycled water or to include facilities designed to accommodate the use of recycled water in the future. Based upon such determination, use of recycled water and provision of recycled water distribution systems or other facilities for the use of recycled water and application for a permit for such use may be required as a condition of approval of any such application, in addition to any other conditions of approval or service.

5.2.2 Alterations And Remodeling: On a case by case basis, upon application for a permit for the alteration or remodeling of multi-family, commercial or industrial structures (including, for example, hotels), the District staff will make a preliminary determination whether the subject property shall be required to be served with recycled water or to include facilities designed to accommodate the use of recycled water in the future. Based upon such determination, use of recycled water and provision of recycled water distribution systems or other facilities for the use of recycled water, and application for a permit for such use may be required as a condition of approval for the application.

5.2.3 Notice Of Determination: A notice of the basis for the preliminary determination, proposed conditions of approval and schedule for compliance shall be provided to the applicant prior to approval of the development application or application for water service.

5.2.4 Requested Service: On a case by case basis, upon application for a permit to use recycled water on a property not covered by Sections 5.1.1, 5.2.1 or 5.2.2 above, the District shall make a determination whether the subject property shall be served with recycled water. Based upon such determination, the application for the permit shall be accepted and processed subject to Section 5.3.

5.3 RECYCLED WATER PERMIT PROCESS: Upon a final determination by the District that a property shall be served with recycled water, or adoption of a condition of development approval, or water service requiring use or accommodation of the use of recycled water, the water customer, owner or applicant shall obtain a recycled water permit.

5.3.1 Permit Conditions: The permit shall specify the design and operational requirements for the applicant's water distribution facilities and schedule for compliance, based on the rules and regulations adopted pursuant to Section 4.2 and shall require compliance with both the California Department of Health Services Wastewater Reclamation Criteria (see California Code of Administrative Regulations, Title 22), and requirements of the California Regional Water Quality Control Board/San Diego Region 9.

5.3.2 Plan Approval: Plans for the recycled water distribution systems for the parcel shall be reviewed by the District and the San Diego County Department of Environmental Health Services.

5.3.3 Permit Issuance: Upon approval of plans the permit shall be issued.

Recycled water shall not be supplied to a property until inspection by the District determines that the applicant is in compliance with the permit conditions.

5.4 TEMPORARY USE OF POTABLE WATER: At the discretion of the District, potable water may be made available on temporary basis, until recycled water is available. Before the applicant receives temporary potable water, a water recycling permit as described in Section 5.3, must be obtained for new on-site distribution facilities. Prior to commencement of recycled water service, an inspection of the on-site facilities will be conducted by the District and/or San Diego County Department of Environmental Health Service to verify that the facilities have been maintained and are in compliance with the recycled water permit and current requirements for service. Upon verification of compliance, recycled water shall be served to the parcel for the intended use. If the facilities are not in compliance, the applicant shall be notified of the corrective actions necessary and shall have at least thirty (30) days to take such actions prior to initiation of enforcement proceedings.

5.5 RECYCLED WATER RATE: The rate charged for recycled water shall be established by resolution of the District.

PASSED, APPROVED AND ADOPTED by the Board of Directors of Rincon del Diablo Municipal Water District at a regular meeting of the Board this 9th day of February 1999 by the following vote to wit:

AYES:
NOES:
ABSENT:
ABSTAIN:

APPROVED:

John B. Hinrichs, President

ATTEST:

Frederick J. Adjarian
Secretary